

**Webster Groves Plan Commission**  
**Meeting Minutes**  
September 10, 2018

<b>Members Present</b>	Charles Sindel	PLANNER
	Jeff Smith	Danny Jendusa
	Brandon Harp	DIRECTOR OF PLANNING & DEVELOPMENT
	Steve Hunkins	Mara Perry
	Scott Mueller	CITY ATTORNEY(Acting)
	Annie Tierney	David Streubel
	Anne Tolan	
	Adam Field	
	Christopher Michael	
	<b>Not Present</b>	

**REGULAR SESSION**

1. Sindel opened the meeting at 7:30 p.m.
2. **APPROVAL OF MINUTES:**  
Sindel asked for a motion to approve the minutes from the July 30, 2018 meeting. Smith made a motion to approve. Harp seconded the motion. The motion passed 9-0.
3. **PUBLIC COMMENTS:**  
There was none.
4. **PUBLIC HEARING:**  
**a) 18-PC-15 Regions Bank:** An application by DCM Management Company for a Change of Zoning from “D” Commercial District to “PC” Planned Commercial District on an approximately 0.79 acre tract of land located at 23 W. Lockwood and 16 W. Moody.

Jendusa said the Plan Commission has seen this site before but this is a new applicant with a request to rezone these two properties from “D” Commercial to “PC” Planned Commercial. Jendusa showed slides of the existing site and said the preliminary plans show two one-story commercial structures fronting West Lockwood and two detached drive up Video Teller Machines. There is also a twenty-five space surface parking lot. The western building will be a Regions Bank and the eastern building will be a retail tenant yet to be determined. Jendusa gave a brief history of the existing structure, which was built in 1865. In 2017, the owner received a Certificate of Appropriateness to submit a demo permit for the structure. In 2017, the Webster Groves Board of Adjustment denied an appeal by HBK Partners LLC to allow a drive-in use to be an Accessory Use, Conditional Use or Permitted Use in the “D” Commercial District. The 1978 Comprehensive Plan identified the general objective of the city as “the development and maintenance of a residential community.” It encouraged limiting the types of retail, office and service uses in the Old Webster or Gore-Lockwood district. In 2006, an

updated plan identified Od Webster as “the most pedestrian friendly commercial area of the city.” Three types of uses were recommended; alternative housing, retail services and office/employment use. This plan was never formally adopted but later partly incorporated into the 2017 Plan Map Amendment, which recommended office use at the property. The applicant has requested the following as Permitted uses for the property:

1. Financial institutions, including banks, savings and loans, stock brokers and title companies
2. Drive-in establishments, such as drive-in confectioners, restaurants, theaters, and retail establishments.
3. Store or shop for the conduct of a retail business.

Jendusa said staff recommends expanding the Permitted Uses for this “PC” Planned Commercial District to include the following for future use:

4. Office for the conduct of any lawful business or professional pursuit.
5. Personal, family, and household services
6. Bakery, whose products are sold only at retail on the premises

The plan includes a twenty-five space parking lot on the north side with a driveway access off of West Lockwood and also on West Moody. The applicant has indicated they may lease out some of the parking during evenings and weekends to the surrounding businesses. A Tree Preservation and Landscape plan will be required for the site. Jendusa said the “PC” district allows for greater flexibility when establishing dimensional regulations for the property. The applicant is requesting a twenty-five foot front yard setback with the intent to create an entry plaza. Staff is recommending this be changed to a ten-foot setback to allow a more pedestrian friendly interaction. The proposed height at one-story, 19.5 feet fits under the maximum height that would be allowed in the “D” Commercial District, which would be three stories and forty-five feet in height above grade. Jendusa explained how the intensity of use is established using the lot coverage and floor area-ratio. Based on the calculations for the proposed development it appears to be lower than many of the neighboring properties. He also said the development does meet the guidelines of the Preservation of the Old Webster National Historic District. A storm water and lighting plan will be required as well as review from the Architectural Review Board. Staff received comments from the Fire Department regarding access during and after construction as well as location of hydrants and sprinklers The Public Works comments were for curb cuts and access as well as ADA compliance.

Harp and Mueller both recused themselves from 18-PC-15 due to previous association with the applicants.

Smith asked about a minimum setback requirement and Jendusa said staff has put into the recommendations for a ten-foot front yard setback.

Sindel asked if there was a tenant for the retail space and Jendusa said he would let the applicant answer.

Harp asked if they wanted a restaurant use would they have to come back for approval, and Perry said yes.

Tolan asked if evening parking was an issue. Also, does this PC require a public benefit. Perry said yes parking can be an issue with all the new restaurants in the area. In addition, the code does not require any public benefit for this PC.

Tolan asked if this was the best use for this site and Perry said, it meet all requirements for the District.

Jendusa said staff recommends approval of the request and should they wish to forward to the City Council for approval staff would recommend the following conditions to be placed on this rezoning:

1. All provisions of the City Code shall apply except as expressly modified in this Ordinance No. \_\_
2. The permitted uses for this "PC" Planned Commercial District shall be limited as follows:
  - a. Financial institutions, including banks, savings and loans, stock brokers and title companies.
  - b. Drive-in establishments for up to two ATM or VTM stations
  - c. Store or shop for the conduct of a retail business.
  - d. Office for the conduct of any lawful business or professional pursuit.
  - e. Personal, family, and household services
  - f. Bakery, whose products are sold only at retail on the premises
3. Total square footage of the structures shall not exceed 6,250 square feet (staff has added) or that which would maintain a minimum on-site parking ratio of four (4) parking spaces per 1,000 sq ft. of commercial space, whichever is greater.
4. The height of all structures shall not exceed the height restrictions of the "D" Commercial District.
5. A minimum of twenty-five (25) parking spaces will be provided on site.
6. A minimum of two (2) vehicle queuing spaces will be provided in the drive through lanes behind all Video Teller Machines (VTMs).
7. A minimum nine (9) foot wide passing lane will be provided on one side of the VTM stations
8. The structure setbacks shall be the following:
  - a. Ten (10)-ft south front yard setback from the south property line fronting West Lockwood Ave.
  - b. Seventy-five (75)-ft front yard setback from the north property line fronting W Moody Ave.
  - c. Ten (10)-ft side yard setback from the west property line.
  - d. Ten (10)-ft side yard setback from the east property line
9. Retaining walls less than five (5) feet in height shall be allowed up to the property line with fall protection as needed per the building code.
10. Any restrictive gates or similar devices, either temporary or permanent, shall be

- accessible by the Fire Department at all times. Any padlocks must be able to be opened with Knox key (Knox lock). Any restrictive gates or similar devices shall only be permitted after the review and approval of the Fire Chief.
11. Additional fire hydrants, sprinkler, standpipes, knox boxes and knox locks shall be installed throughout the site at the direction of the Fire Chief.
  12. The Fire Department shall have full access to the building during all phases of construction.
  13. Any driveways or entrances/exits and canopys shall be able to accommodate the Webster Groves Fire Department ambulance and other emergency vehicles.
  14. Sidewalks along West Lockwood shall be replaced to ADA standards to eliminate any trip hazards. This will be done at the direction of the Director of Public Works. The construction shall be to City standards to include colored concrete per the Department of Public Works.
  15. Sidewalks along the Moody frontage must be installed to City and ADA standards. The construction shall be to City standards to include colored concrete per the Department of Public Works.
  16. All curb cuts and driveway approaches on W. Lockwood and Moody shall be built to City standards and meet ADA requirements.
  17. On-street parking spaces on W Lockwood Avenue shall be striped at the direction of the Director of Public Works. No on-street parking will be allowed on W Moody Avenue.
  18. Every use shall be so operated that the maximum volume of sound or noise generated does not exceed fifty-five (55) decibels at any point on the lot line of the lot on which the use is located.

Robert Goltermann, of DCM Management said they do not have a tenant at this time; it could be two tenants if the space were to be divided. They are not opposed to changing the setbacks.

Sindel asked if the retail building will have the entrance on Lockwood Ave. and Goltermann said they are unsure at this time. They will be meeting with the church next door about the retaining wall.

Chris Chiodini, Chiodini Architects, said they will be finalizing the plans soon and there will probably be a retaining wall on each side.

Tierney ask about the number of Regions Banks in the area and Goltermann was unsure. He believes the footprints of banks are shrinking but they still want to have a presence in communities.

David Brader, an owner of 16 W. Moody, stated they would be looking to redo the retaining walls on both sides of the site.

Sindel asked for a motion to close the public hearing. Smith made a motion to close the public hearing on 18-PC-15. Michael seconded the motion. All voted in favor. The motion was

approved 9-0.

**b) 18-PC-16 Communion Church:** An application by Jenkins Boateng on behalf of Communion Church for a Conditional Use Permit for a Church use in a tenant space in the commercial building located at 3209 S Brentwood Blvd in the “C” Commercial District.

Jendusa said this petition is for the Communion Church to operate in a tenant space in the commercial building at 3209 S. Brentwood Blvd. Photos of the existing building were provided and Jendusa said there will be no modifications to the existing structure. It shall be determined whether the proposed use will not:

1. Substantially increase traffic hazards or congestion.
2. Substantially increase fire hazards.
3. Adversely affect the character of the neighborhood.
4. Adversely affect the general welfare of the community.
5. Overtax public utilities.

The hours of use will be Sunday morning church services and weekly evening classes. Jendusa said due to the hours and limited space staff believes parking will not be an issue as there are sixty-two spaces.

Jendusa said staff recommends approval of the request as submitted and if approved it be forwarded to the City Council with the following recommendations:

1. All provisions of the City Code shall apply except as expressly modified in this Ordinance No. \_\_\_\_\_
2. The primary and accessory structure setbacks shall be those set in the underlying “C” Zoning District setbacks and the Additional Minimum Street Setbacks in the Zoning Code.
3. This conditional use permit shall be personal to the applicant and shall not run with the land

Smith asked if the other tenants in the building had been notified. Jendusa said yes. He also stated this is a temporary space for the applicant as they are looking for something more permanent.

Tolan asked if we knew the hours they intend to occupy and Jendusa said not at this time.

Sindel asked for a motion to close the public hearing. Smith made a motion to close the public hearing on 18-PC-16. Michael seconded the motion. All voted in favor. The motion was approved 9-0.

## **5. ADJOURNMENT OF REGULAR SESSION**

Sindel asked for a motion to close the regular session. Smith made a motion. Hunkins seconded the motion. All in favor the motion passed 9-0.

## **EXECUTIVE SESSION:**

### **6. VOTES:**

**18-PC-15 Regions Bank:** An application by DCM Management Company for a Change of Zoning from “D” Commercial District to “PC” Planned Commercial District on an approximately 0.79 acre tract of land located at 23 W. Lockwood and 16 W. Moody.

Hunkins said the building should be closer to Lockwood to make it user friendly. Sindel agreed.

Tolan said we should not allow the building to be any smaller.

Field asked if the ARB will look at the height and Perry said yes they would look at the scope of the height.

Sindel asked if they could put a minimum square footage on the tenant building.

Tolan said she believes the city does not need another bank. This is a prime location suited for a better use.

Michael agreed. In addition, accessibility could be problem. He does not like not knowing who the other tenant will be.

Field said this may not be the best use for the site, but the market will tell.

Smith made a motion to approve with staff’s recommendations and the added change to # 3 to read as follows: *Total square footage of all structures shall not exceed 6,250 square feet or that which would maintain a minimum on-site parking ratio of four (4) parking spaces per 1,000 sq ft. of commercial space, whichever is greater. In addition, the retail square footage allowed shall not be less than 3,000 square feet. The height of the buildings will not be less than 19.5 feet high.*

The vote was as noted:

Yes votes were Sindel, Smith, Hunkins, Field. No votes were Michael, Tierney, Tolan. Harp and Mueller recused themselves from the vote. The motion passed 4-3.

**18-PC-16 Communion Church:** An application by Jenkins Boateng on behalf of Communion Church for a Conditional Use Permit for a Church use in a tenant space in the commercial building located at 3209 S Brentwood Blvd in the “C” Commercial District

Sindel asked if there were any comments, there were none.

Sindel asked for a motion to approve with staff’s recommendations. Harp made a motion. Field seconded the motion. All in favor the motion passed 9-0.

**OTHER BUSINESS:** Perry noted the possible change in the start time for the future Plan Commission meetings. All agreed on 7:00 PM.

**7. NEXT REGULAR MEETING:** October 1, 2018.

**8. ADJOURNMENT OF THE EXECUTIVE**

Sindel asked for a motion to adjourn. Smith made a motion. Field seconded the motion. All in favor motion passed 9-0. The meeting adjourned at 9:20 PM.